

January 21, 2003 CPC
February 26, 2003 BS



STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

03SN0155

Triad Investments LLC

Clover Hill Magisterial District
West line of Twilight Lane

REQUEST: Rezoning from Agricultural (A) to Residential (R-12).

PROPOSED LAND USE:

A single family residential subdivision with a minimum lot size of 12,000 square feet is planned. Residential (R-12) zoning yields a maximum density of 3.63 units per acre resulting in a maximum of thirty-four (34) lots which could be developed on the property.

PLANNING COMMISSION RECOMMENDATION

RECOMMEND APPROVAL AND ACCEPTANCE OF THE PROFFERED CONDITIONS ON PAGES 2 AND 3.

STAFF RECOMMENDATION

Recommend approval for the following reasons:

- A. The proposed zoning and land use conform to the Northern Area Plan which suggests the property is appropriate for residential use of 1.51 to 4.0 units per acre.
- B. The proposed zoning and land use are representative of existing and anticipated development.
- C. The proffered conditions address the impacts of this development on necessary capital facilities, as outlined in the Zoning Ordinance and Comprehensive Plan.

Providing a FIRST CHOICE Community Through Excellence in Public Service.

Specifically, the need for roads, schools, parks, libraries and fire stations is identified in the County's adopted Public Facilities Plan, the Thoroughfare Plan and Capital Improvement Program and the impact of this development is discussed herein. The proffered conditions adequately mitigate the impact on capital facilities, thereby insuring adequate service levels are maintained as necessary to protect the health, safety and welfare of County citizens.

(NOTE: THE ONLY CONDITION THAT MAY BE IMPOSED IS A BUFFER CONDITION. THE PROPERTY OWNER MAY PROFFER OTHER CONDITIONS. THE CONDITIONS NOTED WITH "STAFF/CPC" WERE AGREED UPON BY BOTH STAFF AND THE COMMISSION. CONDITIONS WITH ONLY A "STAFF" ARE RECOMMENDED SOLELY BY STAFF. CONDITIONS WITH ONLY A "CPC" ARE ADDITIONAL CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION.)

PROFFERED CONDITIONS

- | | | |
|-------------|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (STAFF/CPC) | 1. | Public water and wastewater shall be used. (U) |
| (STAFF/CPC) | 2. | The applicant, subdivider, or assignee(s) shall pay the following, for infrastructure improvements within the service district for the property, to the county of Chesterfield prior to the issuance of building permit:

A. \$9,000.00 per dwelling unit, if paid prior to July 1, 2003; or
B. The amount approved by the Board of Supervisors not to exceed \$9,000.00 per dwelling unit adjusted upward by any increase in the Marshall and Swift building cost index between July 1, 2002, and July 1 of the fiscal year in which the payment is made if paid after June 30, 2003.
C. In the event the cash payment is not used for which proffered within 15 years of receipt, the cash shall be returned in full to the payor. (B&M) |
| (STAFF/CPC) | 3. | Except for timbering approved by the Virginia State Department of Forestry for the purpose of removing dead or diseased trees, there shall be no timbering on the Property until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved devices installed. (EE) |
| (STAFF/CPC) | 4. | All dwelling units shall have a minimum gross floor area of 1800 square feet. (P) |
| (STAFF/CPC) | 5. | All exposed portions of the foundation of each dwelling unit shall be faced with brick or stone veneer. Exposed piers supporting front porches shall be faced with brick or stone veneer. (P) |

- (STAFF/CPC) 6. A fifteen (15) foot tree preservation strip, exclusive of required yards, shall be maintained along the northern property line adjacent to GPIN 757-698-9176. Utility easements shall be permitted to cross this strip in a perpendicular fashion. Any healthy trees that are six (6) inches in caliper or greater shall be retained within this tree preservation strip except where removal is necessary to accommodate the improvements permitted by the preceding sentence. This condition shall not preclude the removal of vegetation from the tree preservation strip that is unhealthy, dying or diseased. (P)
- (STAFF/CPC) 7. Any open basins required for water quantity or quality control shall be designed as wet ponds and shall be landscaped or otherwise improved so that the facilities become visual enhancements to, and amenities for, the uses developed on the Property. The landscaping plan for such ponds shall include landscaping adjacent to the ponds. At the time of tentative subdivision submission, plans depicting these requirements shall be submitted to the Planning and Environmental Engineering Departments for review and approval. (EE)
- (STAFF/CPC) 8. No clearing east of the existing gravel road, within the existing Twilight Lane right of way, shall be permitted in conjunction with the development of the subject property. The location of the existing gravel road is identified on the "Zoning Exhibit", prepared by Balzer & Associates Inc. and dated January 13, 2003. Furthermore, prior to recordation of any subdivision plat, a single row of evergreen trees (Bayberry or similar species subject to Planning Department approval) three (3) to four (4) feet in height shall be planted, approximately ten (10) feet on center, along the rear property lines of Tax ID's 757-697-8988 and 9297 for that length necessary to minimize the impact of the Twilight Lane improvements. The exact location of such landscaping shall be approved by the Planning Department. (P)

(Staff Note: Once the required landscaping is installed, this condition shall be satisfied. Failure of the individual property owners of the referenced lots to maintain the landscaping shall not be considered a violation of this condition.)

GENERAL INFORMATION

Location:

West line of Twilight Lane, south of Debbs Lane. Tax ID 757-697-6279 (Sheets 7 and 11).

Existing Zoning:

A

Size:

9.3 acres

Existing Land Use:

Single family residential

Adjacent Zoning and Land Use:

North - R-7; Single family residential

South - A and R-9; Single family residential or vacant

East - R-7; Single family residential

West - A and R-9; Single family residential or vacant

UTILITIES

Public Water System:

There is an existing twelve (12) inch water line extending along the west side of Twilight Lane within an easement on the request site. In addition, this twelve (12) inch water line extends from Twilight Lane, across the southern portion of the request site, to serve Section 1 of Three Pines Subdivision. Use of the public water system is intended and has been proffered. (Proffered Condition 1)

Public Wastewater System:

There is an existing thirty-three (33) inch wastewater trunk line extending along Pocoshock Creek, adjacent to the request site. In addition, an eight (8) inch wastewater collector extends from this trunk line north along a portion of Twilight Lane to serve Section E of Stonemill Subdivision. This eight (8) inch wastewater collector is adjacent to the request site. Use of the public wastewater system is intended and has been proffered. (Proffered Condition 1)

ENVIRONMENTAL

Drainage and Erosion:

The southwest property line is bordered by Pocoshock Creek resulting in an extremely wide floodplain within the property's boundaries. Approximately fifty (50) percent of the property is therefore encumbered within the RPA. There are currently no on- or off-site drainage or erosion problems and none are expected with development. The property is heavily wooded

and should not be timbered without first obtaining a land disturbance permit from the Environmental Engineering Department. This will insure that adequate erosion control measures are in place prior to any land disturbance as a result of timbering. (Proffered Condition 3)

Water Quality:

A wide 100-year floodplain exists along Pocoshock Creek which runs through the southwest portion of the request property. A Resource Protection Area (RPA) is also located on the property adjacent to the floodplain. Development in, and around, this RPA must be in accordance with Chesapeake Bay Act guidelines.

To address concerns expressed relative to the aesthetics of any aboveground storm water management (SWM) or best management facilities, the applicant has agreed that any such facilities will be landscaped or otherwise improved so that they become visual enhancements to uses developed on the property. (Proffered Condition 7)

PUBLIC FACILITIES

The need for schools, parks, libraries, fire stations and transportation facilities is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program and further detailed by specific departments in the applicable section of this "Request Analysis". This development will have an impact on these facilities.

Fire Service:

The Buford Road Fire Station, Company Number 9, and Forest View Volunteer Rescue Squad currently provide fire protection and emergency medical service. The Public Facilities Plan indicates that emergency services calls are expected to increase forty-five (45) percent by 2015. Eight (8) new fire/rescue stations are recommended for construction by 2015 in the Plan. Based on thirty-seven (37) dwelling units, this request will generate approximately eleven (11) calls for fire and EMS services each year. The applicant has addressed the impact on fire service. (Proffered Condition 2)

When the property is developed, the number of hydrants, quantity of water needed for fire protection and access requirements will be evaluated during the plans review process.

Schools:

Approximately twenty (20) students will be generated by this development. This site lies in the Davis Elementary School attendance zone: capacity – 700, enrollment – 655; Providence Middle School zone: capacity – 1,070, enrollment – 1091; and Monacan High School zone: capacity – 1,600, enrollment – 1,665.

This development will have an impact on the middle and high schools. There are currently eight (8) trailers at Providence Middle and one (1) at Monacan High. The applicant has addressed the impact on schools: (Proffered Condition 2)

Libraries:

Consistent with the Board of Supervisors' policy, the impact of development on library services is assessed County-wide. Based on projected population growth, the Public Facilities Plan identifies a need for additional library space throughout the County. Even if the facility improvements that have been made since the Public Facilities Plan was published are taken into account, there is still an unmet need for additional library space throughout the County. This development would most likely impact the La Prade Library or a proposed new facility in the vicinity of Lucks Lane and Courthouse Road. The applicant has fully addressed the impact of this development on libraries. (Proffered Condition 2)

Parks and Recreation:

The Public Facilities Plan identifies the need for four (4) new regional parks. In addition, there is currently a shortage of community park acreage in the County. The Plan identifies a need for 625 acres of regional park space and 116 acres of community park space by 2015. The Plan also identifies the need for neighborhood parks and special purpose parks and makes suggestions for their locations. The applicant has offered measures to assist in addressing the impact of this proposed development on Parks and Recreation facilities. (Proffered Condition 2)

Transportation:

The applicant is requesting rezoning from Agricultural (A) to Residential (R-12) on approximately nine (9) acres. Based on single-family trip rates, development could generate approximately 240 average daily trips. These vehicles will be distributed, via Twilight Lane, to Elkhardt Road and Providence Road, which had 2002 traffic counts of 5,214 and 10,247 vehicles per day, respectively.

The traffic impact of this development must be addressed. The Thoroughfare Plan identifies the need to improve existing roads, as well as construct new roads to accommodate growth. Area roads need to be improved to address safety and accommodate the increase in traffic generated by this development. There are no projects to improve area roads in the current Six-Year Secondary Road Improvement Program. Sections of Elkhardt Road have twenty (20) foot wide pavement with no shoulders. The capacity of this road is acceptable (Level of Service C) for the volume of traffic it currently carries. Sections of Providence Road have twenty-four (24) foot wide pavement with six (6) foot wide shoulders. The capacity of this road is acceptable (Level of Service D) for the volume of traffic it currently carries. The standard typical section for these types of roadways should be twenty-four (24) foot wide pavement, with minimum eight (8) foot wide shoulders. The applicant has proffered to

contribute cash, in an amount consistent with the Board of Supervisors' policy, towards mitigating the traffic impact of this development on area roads. (Proffered Condition 2)

Financial Impact on Capital Facilities:

		PER UNIT
Potential Number of New Dwelling Units	17*	1.00
Population Increase	46.24	2.72
Number of New Students		
Elementary	4.08	0.24
Middle	2.21	0.13
High	2.89	0.17
TOTAL	9.18	0.54
Net Cost for Schools	82,399	4,847
Net Cost for Parks	11,781	693
Net Cost for Libraries	6,375	375
Net Cost for Fire Stations	6,817	401
Average Net Cost for Roads	69,853	4,109
TOTAL NET COST	177,225	10,425

*Based on an average actual density of 1.89 units per acre. The actual number of lots developed and corresponding impacts may vary.

As noted, this proposed development will have an impact on capital facilities. Staff has calculated the fiscal impact of every new dwelling unit on schools, roads, parks, libraries and fire stations at \$10,425 per unit. The applicant has been advised that a maximum proffer of \$9,000 per unit would defray the cost of the capital facilities necessitated by this proposed development. Consistent with the Board of Supervisors' policy, and proffers accepted from other applicants, the applicant has offered cash to assist in defraying the cost of this proposed zoning on such capital facilities.

Note that circumstances relevant to this case, as presented by the applicant, have been reviewed and it has been determined that it is appropriate to accept the maximum cash proffer in this case. (Proffered Condition 2)

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Northern Area Plan which suggests the property is appropriate for medium density residential use of 1.51 to 4.0 dwelling units per acre.

Area Development Trends:

Area properties are zoned residentially and agriculturally and are occupied by single family residences or are vacant. It is anticipated that single family residential zoning and land use patterns will continue in the area as suggested by the Plan.

House Sizes and Treatment:

To address concerns of adjacent property owners and the Clover Hill District Commissioner, proffered conditions address minimum house size and foundation treatment. (Proffered Conditions 4 and 5)

Tree Preservation Strip:

In an attempt to address concerns of adjacent property owners in Pocoshock Subdivision relative to a vegetated separation between their lot and the dwellings within the proposed development, Proffered Condition 6 requires a tree preservation strip along the northern property line, adjacent to Tax ID 757-698-9176 (Proffered Condition 6). This tree preservation strip will be included within the limits of the proposed lots. It has been staff's experience that individual homeowners clear these areas resulting in a zoning violation on that individual lot. Given the retention of trees within this strip will be difficult, if not impossible, for the County to enforce, staff recommends that Proffered Condition 6 not be accepted.

Landscaping:

In an attempt to address concerns of the Clover Hill Planning Commissioner relative to mitigating the impact of improvements to Twilight Lane on adjacent properties to the east, the applicant submitted a proffered condition which prohibits clearing east of the existing gravel surface of Twilight Lane and which requires landscaping to be installed on two (2) adjacent lots to the east. (Proffered Condition 8)

CONCLUSIONS

The proposed zoning and land use conform to the Northern Area Plan which suggests the property is appropriate for residential uses of 1.51 to 4.0 units per acre and is representative of existing and anticipated area development. The maximum density permitted in Residential (R-12) is 3.63 units

per acre; the theoretical density is 3.05 units per acre; and the average actual lots recorded in Residential (R-12) between 1999 and 2001 was 1.89 units per acre.

The proffered conditions address the impacts of this development on necessary capital facilities, as outlined in the Zoning Ordinance and Comprehensive Plan. Specifically, the need for transportation, schools, parks, libraries and fire stations is identified in the County's adopted Public Facilities Plan, the Thoroughfare Plan and Capital Improvement Program and the impact of this development is discussed herein. The proffered conditions adequately mitigate the impact on capital facilities, thereby insuring that adequate service levels are maintained as necessary to protect the health, safety and welfare of County citizens.

Given these considerations, approval of the request is recommended.

CASE HISTORY

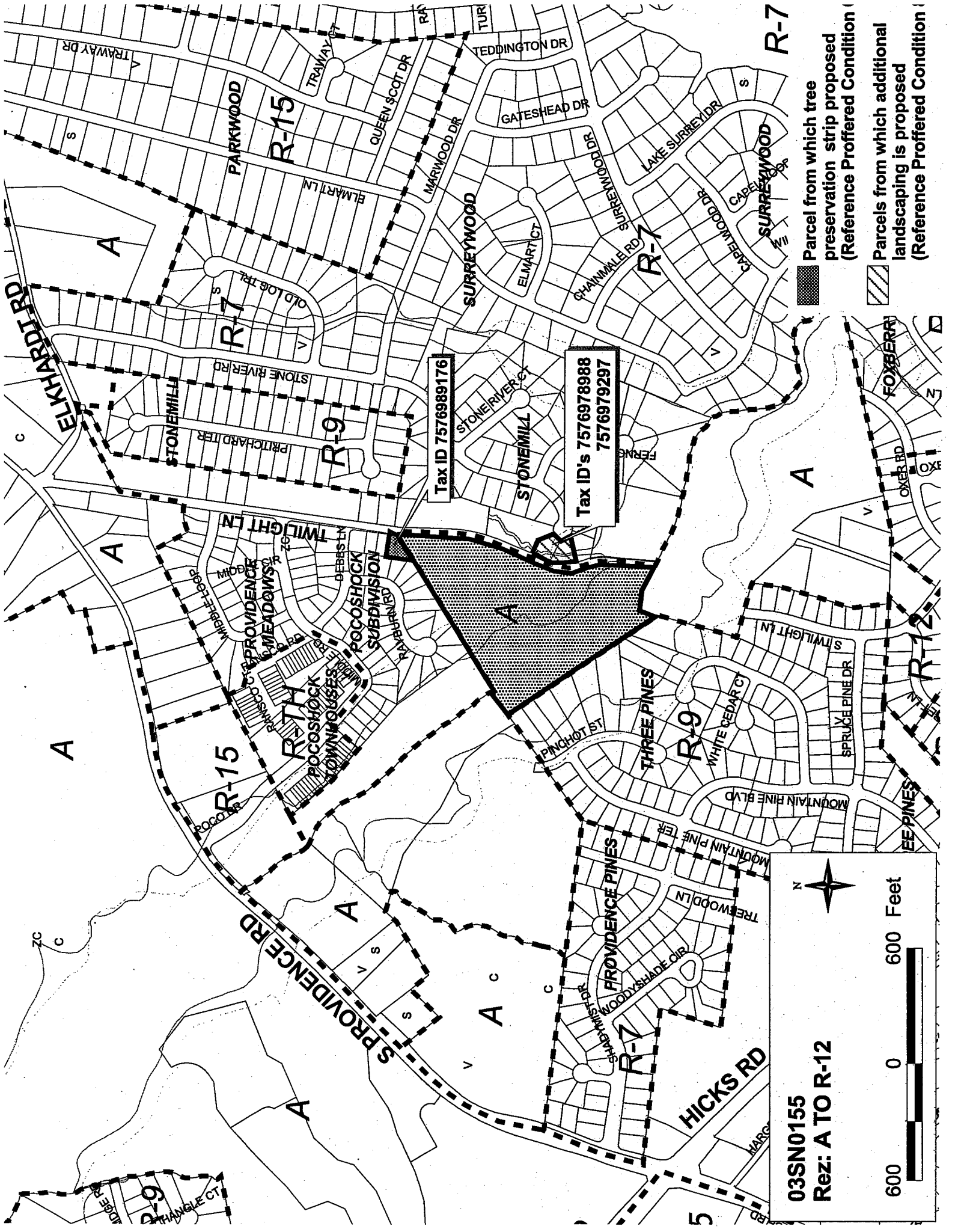
Planning Commission Meeting (1/21/03):

The applicant accepted staff's recommendation. There was no opposition present.

On motion of Mr. Gulley, seconded by Mr. Litton, the Commission recommended approval and acceptance of the proffered conditions on pages 2 and 3.

AYES: Unanimous.

The Board of Supervisors, on Wednesday, February 26, 2003, beginning at 7:00 p.m., will take under consideration this request.



03SN0155
Rez: A TO R-12

600 0 600 Feet

N

- Parcel from which tree preservation strip proposed (Reference Proffered Condition)
- Parcels from which additional landscaping is proposed (Reference Proffered Condition)

